

WILLKIE FARR & GALLAGHER LLP

1875 K Street, N.W.
Washington, DC 20006-1238

Tel: 202 303 1000
Fax: 202 303 2000

August 16, 2013

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Washington, DC 20554

ACCEPTED/FILED

AUG 16 2013

Federal Communications Commission
Office of the Secretary

RECEIVED

AUG 19 2013

FCC-Competition Policy Division


Re: Section 63.71 Discontinuance Application of tw telecom of kentucky llc

Dear Ms. Dortch:

Pursuant to Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, enclosed is the application of **tw telecom of kentucky llc** to discontinue the Complete Dynamic ATM service in the Louisville, Kentucky metropolitan area. Notice of the proposed discontinuance is being filed under separate cover with the International Bureau pursuant to Section 63.19 of the Commission's rules, 47 C.F.R. § 63.19.

Please contact the undersigned with any questions regarding this application.

Respectfully submitted,



Mia Guizzetti Hayes
Daniel R. Bumpus*

Counsel for tw telecom of kentucky llc

*Admitted only to the Bar of New York. Practicing under the supervision of members of the D.C. Bar.

cc: Kentucky Public Service Commission
Governor Steve Beshear
Secretary of Defense, Attn. Special Assistant for Telecommunications
Mindel De La Torre

cc (via email): Rodney McDonald
Carmell Weathers
Kimberly Jackson

Enclosure

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
)
Section 63.71 Application of)
tw telecom of kentucky llc)
For Authority Pursuant to Section 63.71)
Of the FCC's Rules, 47 C.F.R. § 63.71,)
To Discontinue the Complete Dynamic)
ATM Service in Louisville, Kentucky)

WC Docket No. ____

ACCEPTED/FILED

AUG 16 2013

Federal Communications Commission
Office of the Secretary

**SECTION 63.71 APPLICATION OF
TW TELECOM OF KENTUCKY LLC**

tw telecom of kentucky llc ("tw telecom of kentucky"), a wholly-owned direct subsidiary of **tw telecom holdings inc.** and a wholly-owned indirect subsidiary of **tw telecom inc.**, requests authority under Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the Complete Dynamic ATM service in the Louisville, Kentucky metropolitan area. Notice of the proposed discontinuance is being filed simultaneously with the International Bureau pursuant to Section 63.19 of the Commission's rules, 47 C.F.R. § 63.19.

As required by Sections 63.71(a) and (b) of the Commission's rules, **tw telecom of kentucky** provides the following information in support of its discontinuance request:

Name and Address of Carrier (47 C.F.R. §§ 63.71(a)(1), (b)(2)):

tw telecom of kentucky llc
Customer Care, Network Operations Center
2342 Technology Drive, Summit 1
O'Fallon, MO 63368

tw telecom of kentucky llc
Corporate Headquarters
10475 Park Meadows Drive
Littleton, CO 80124

Date of Planned Service Discontinuance (47 C.F.R. §§ 63.71(a)(2), (b)(2)) and Points of Geographic Areas of Service Affected (47 C.F.R. §§ 63.71(a)(3), (b)(2)):

tw telecom of kentucky intends to discontinue the Complete Dynamic ATM service in the Louisville, Kentucky metropolitan area on or after October 4, 2013, subject to Commission authorization to discontinue the service pursuant to 47 C.F.R. § 63.71(c).

Brief Description of Type of Service Affected (47 C.F.R. §§ 63.71(a)(4), (b)(2)):

The Complete Dynamic ATM service is a flexible bandwidth bundled service consisting of local exchange service with selected features, a Long Distance and/or Toll Free usage allowance of 2,500 minutes, shared web hosting, and Internet access.

Brief Description of the Date and Method of Notice to All Affected Customers (47 C.F.R. § 63.71(b)(3)):

tw telecom of kentucky notified its affected Louisville metropolitan area customers of the planned discontinuance of the Complete Dynamic ATM service by letter sent via U.S. mail on August 16, 2013. A copy of the customer notification letter is appended hereto as Attachment A. The letter informs affected customers that, with the required FCC approval, **tw telecom of kentucky** plans to discontinue the Complete Dynamic ATM service on or after October 4, 2013.

Regulatory Classification of Carrier (47 C.F.R. § 63.71(b)(4)):

tw telecom of kentucky is considered a non-dominant carrier in its provision of the Complete Dynamic ATM service in the Louisville metropolitan area.

Other Information (47 C.F.R. § 63.71(b)(5)):

Copies of this Application are being sent via First-Class U.S. Mail to the Kentucky Public Service Commission, the Governor of Kentucky, and the Special Assistant for Telecommunications to the Secretary of Defense, as required by Section 63.71(a) of the Commission's rules.

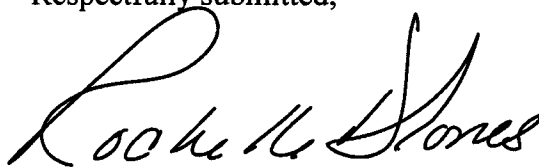
Please direct questions regarding this application to:

Mia Guizzetti Hayes
Willkie Farr & Gallagher LLP
1875 K Street, N.W.
Washington, DC 20006
(202) 303-1197
mhayes@willkie.com

Conclusion:

The public convenience and necessity will not be adversely affected by the discontinuance of **tw telecom of kentucky's** Complete Dynamic ATM service in the Louisville metropolitan area. All affected customers have been given notice that affords them ample time to acquire reasonable substitute services, which are readily available in Louisville and include, but are not limited to, other services offered by **tw telecom of kentucky**. Therefore, **tw telecom of kentucky** respectfully requests that the Commission approve this Section 63.71 Application to discontinue the Complete Dynamic ATM service in the Louisville metropolitan area.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rochelle D. Jones", written over a horizontal line.

Rochelle D. Jones
Vice President – Regulatory
tw telecom holdings inc.

Dated: August 16, 2013

Attachment A



tw telecom of kentucky llc
Customer Care
2342 Technology Drive
Summit 1
O'Fallon, MO 63368

Insert Billing Contact Name
Insert Company Name
Insert Billing Address 1
Insert Billing Address 2
Insert Billing City, State Zip

Date: August 16, 2013

Regarding: Complete Dynamic ATM service at
Service Address:

**Important Notice Regarding Discontinuance of Complete Dynamic ATM Service
provided by tw telecom of kentucky llc**

Dear Customer,

Last year, we notified you that the equipment currently being used to provision the Complete Dynamic ATM service is no longer supported in **tw telecom's** current product portfolio. At that time, we allowed you to continue to use your service as long as you did not require any modifications/additions to your existing services. The time has come, however, to remove the outdated equipment supporting the Complete Dynamic ATM service from our network. This letter serves as formal notice that, subject to the approval of the Federal Communications Commission ("FCC"), **tw telecom of kentucky llc** plans to discontinue the Complete Dynamic ATM service at the above-referenced location on or after October 4, 2013.

In order to maintain continuous service at your location, we need to begin migration of your service to another **tw telecom** service that will best benefit your business or move your service to another telecommunications service provider by October 4, 2013. Provided that the FCC approves the proposed discontinuance, **if you have not made arrangements to replace your Complete Dynamic ATM service prior to October 4, 2013, please be advised that your service will be disconnected on October 4, 2013.**

We would like to work with you to migrate your service to the Converged Services platform currently offered by **tw telecom**, which is based on the latest equipment and communications technology. Converged Services allow you to fully integrate Voice (analog lines, PRI, digital trunks) with data (VPN) and/or Internet and Security services on a single connection. Data, Internet and Voice services dynamically share all bandwidth, and the voice traffic is always prioritized over data.

If you wish to contact me to discuss Converged Services or another service offering from **tw telecom**, you may do so at the number or email provided below.

If you also subscribe to other services from **tw telecom**, those services will NOT be impacted by the anticipated discontinuance of the Complete Dynamic ATM service. Your other services will remain in place with no change to the applicable rates, terms, or conditions.

We sincerely regret any inconvenience this may cause you and your organization, but look forward to continuing our relationship and providing a new service that meets your telecommunications needs. **tw telecom** is dedicated to providing the finest business communications services and customer care available, allowing you to focus on your business. Please contact me before October 4, 2013 to talk about **tw telecom**'s Converged Services or our other communications solutions that may best fit your business.

Sincerely,

Account Rep Name

Account Rep Title

tw telecom

Account Rep Phone

Account Rep email

tw telecom of kentucky llc is required by the FCC to provide the following statement:

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the §63.71 Application of **tw telecom of kentucky llc**. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

CERTIFICATE OF SERVICE

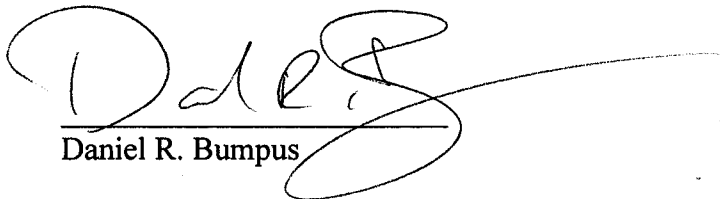
I, Daniel R. Bumpus, do hereby certify that on this day, August 16, 2013, I caused to be served a true and correct copy of the foregoing Section 63.71 Application of **tw telecom of kentucky llc** via First-Class U.S. Mail, postage prepaid, to the following:

Kentucky Public Service Commission
P.O. Box 615
211 Sower Boulevard
Frankfort, KY 40602-0615
(502) 564-3940

The Office of Governor Steve Beshear
700 Capitol Avenue, Suite 100
Frankfort, KY 40601
(502) 564-2611

Secretary of Defense
Attn: Special Asst. for Telecommunications
Pentagon
Washington, DC 20301
(703) 571-3343

Mindel De La Torre
Chief, International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554


Daniel R. Bumpus